

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DAVID BOLLINGER.

Case No. 2:98-cv-01263-MMD-BNW

Petitioner.

ORDFR

v.

WILLIAM GITTERE, *et al.*,

Respondents.

12 In this capital habeas corpus action, on February 24, 2023, the Court granted
13 Respondents' motion for reconsideration (ECF No. 333), vacated the order granting
14 Petitioner David Bollinger relief from judgment (ECF No. 279), reinstated the judgment
15 entered on March 5, 2015 (ECF No. 244), vacated the order granting Bollinger leave to
16 amend his third amended petition to include his Claim 7D (ECF No. 279), ordered that
17 Bollinger's third amended habeas petition will no longer be treated as amended to include
18 Claim 7D, and denied Bollinger a certificate of appealability. (ECF No. 336.) On March
19 24, 2023, Bollinger filed a motion to alter or amend judgment under Rule 59(e) or, in the
20 alternative, motion for reconsideration (ECF No. 337), and a motion for relief from
21 judgment under Rule 60(b) (ECF No. 339) ("March 24 motions"). After a 28-day extension
22 of time (ECF No. 346), Respondents were due to respond to Bollinger's March 24 motions
23 by May 5, 2023.

24 On May 5, 2023, Respondents filed two motions for extension of time (ECF Nos.
25 350, 351), requesting that the time for them to respond to Bollinger's March 24 motions
26 be extended by another seven days, to May 12, 2023. Respondents' counsel states that
27 the extensions of time are necessary because of his obligations in other cases.

1 Respondents' counsel represents that Bollinger, who is represented by appointed
2 counsel, does not oppose the motions for extension of time.

3 The Court finds that Respondents' motions for extension of time are made in good
4 faith and not solely for the purpose of delay, and that there is good cause for the
5 extensions of time requested.

6 It is therefore ordered that Respondents' Motions for Enlargement of Time (ECF
7 Nos. 350, 351) are granted. Respondents will have until and including May 12, 2023, to
8 file their responses to Petitioner's motion to alter or amend judgment under Rule 59(e) or,
9 in the alternative, motion for reconsideration (ECF No. 337), and motion for relief from
10 judgment under Rule 60(b) (ECF No. 339).

11 DATED THIS 5th Day of May 2023.



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13 MIRANDA M. DU
14 CHIEF UNITED STATES DISTRICT JUDGE
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